

**UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

**IN RE:  
ANDREW CLINTON DAVIS**

**CASE NO: 22-47859-MLO  
CHAPTER: 7  
JUDGE: OXHOLM**

Debtor(s) /

**ANDREW CLINTON DAVIS**

**Plaintiff**

**v.**

**Adv Proc. No.**

**HILLSDALE COLLEGE**

Defendant /

**COMPLAINT SEEKING DISCHARGE OF NON-PRIORITY UNSECURED DEBT**

**NOW COMES** Andrew Clinton Davis, by and through his attorneys, Frego & Associates- The Bankruptcy Law Office, and states:

1. Debtor/Plaintiff filed his Chapter 7 Bankruptcy on October 7<sup>th</sup>, 2022.
2. Defendant Hillsdale College is a scheduled creditor in this matter.
3. Pursuant to Schedule F, Plaintiff scheduled a debt to Hillsdale College in the approximate amount of sixteen-thousand, nine-hundred and eighty two 0/100 dollars (\$16,982.00).
4. Plaintiff's obligation(s) to Defendant is neither a priority debt pursuant to 11 U.S.C. §507, *et seq.*, nor non-dischargeable pursuant to 11 U.S.C. §523(a), *et. Seq.*, and therefore, dischargeable pursuant to 11 U.S.C. §727(a), *et. Seq.*
5. That Plaintiff now seeks discharge of said general unsecured obligation(s) as outlined *herein*.
6. Plaintiff alleges this deb is not the result of any debt contemplated in 11 U.S.C. §523(a)8; *an educational benefit overpayment or loan made, insured, or guaranteed by a governmental unit, or made under any program funded in whole or in part by a governmental unit or nonprofit institution; or*

(ii)

*an obligation to repay funds received as an educational benefit, scholarship, or stipend; or*

(B)

*any other educational loan that is a qualified education loan, as defined in section 221(d)(1) of the [Internal Revenue Code of 1986](#), incurred by a debtor who is an individual;*

7. This is a core proceeding pursuant to Fed. R. Bankr. P. 7001(6), and 4007.

**WHEREFORE** Plaintiff prays this Honorable Court determine any liability owing by

Plaintiff / Debtor to Hillsdale College for tuition is a general unsecured and dischargeable debt(s); and b) for what further relief this Court deems equitable and just.

Respectfully submitted,

/s/ David S. Wilkinson

David S. Wilkinson (P65130)

Frego & Associates- The Bankruptcy Law Office

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Dated January 9<sup>th</sup>, 2023

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**ORDER DETERMINING DEBT DISCHARGEABLE**

This matter having come before the Court upon the filing of the Plaintiffs' Complaint to and due notice having been thus given, a Stipulation having been filed or a Entry of a Default Judgment having occurred, and the Court being otherwise fully advised in the premises;

**IT IS ORDERED IT IS ORDERED** that Plaintiff's obligation owing to Defendant, Hillsdale College, in the amount of not less than \$16,982.00, is hereby deemed a dischargeable obligation under 11 U.S.C. §727(a).